IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No.9105 of 2007

1. Shri Mansoor Kalabhai
   Zojwalla and ors. ..Petitioners

vs.

1. Sub Divisional Officer
   Thane Division and ors. ..Respondents

Shri S.U.Dhakephalkar for petitioners.

CORAM: S.C.DHARMADHIARI J.
20th December, 2007

P.C.

1. The petitioners do not dispute that their remedy lies in filing the revision application against the order of the appellate Authority. However, the submission is that the revisional authority, namely, Maharashtra Revenue Tribunal has not been constituted as yet.

2. I have already recorded an undertaking and statement of the State in other matters that M.R.T. would be made functional from 21st January, 2008. In such circumstances, remedy of the petitioner would be to apply to M.R.T. for interim protection while challenging the order dated 21st February, 2007. Shri Dhakephalkar states that he would approach the Revisional

Authority as expeditiously as possible but until he applies for interim/ad-interim protection the order of the Sub Divisional Officer be stayed.

3. In the light of the above developments, the petition is allowed to be withdrawn with liberty to approach the Revisional Authority. For a period of 12 weeks from today the order of the appellate authority shall remain stayed.

(S.C.DHARMADHIKARI J.)